

James A. Bruen (State Bar No. 43880)
Monali S. Sheth (State Bar No. 239511)
FARELLA BRAUN & MARTEL LLP
235 Montgomery Street, 17th Floor
San Francisco, CA 94104
Telephone: (415) 954-4400
Facsimile: (415) 954-4480
jbruen@fbm.com

Katharine R. Latimer (Dist. of Columbia Bar No.
405137)
Eric G. Lasker (Dist. of Columbia Bar No. 430180)
(Appearing *Pro Hac Vice*)
SPRIGGS & HOLLINGSWORTH
1350 I Street, N.W.
Washington, D.C. 20005
Telephone: (202) 898-5800
Facsimile: (202) 682-1639
elasker@spriggs.com

Attorneys for Defendants
NOVARTIS PHARMACEUTICALS
CORPORATION, NOVARTIS CORPORATION,
and McKESSON CORPORATION

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

THERESA WALDON,

Plaintiff,

vs.

NOVARTIS PHARMACEUTICALS
CORPORATION, a Delaware corporation;
NOVARTIS CORPORATION, a New
York corporation; and McKESSON
CORPORATION, a Delaware corporation,

Defendants.

Case No. C 07 1988 MJJ

**STIPULATION AND ~~[PROPOSED]~~
ORDER EXTENDING TIME FOR
DEFENDANT McKESSON
CORPORATION TO RESPOND TO
AMENDED COMPLAINT AND FOR CASE
MANAGEMENT SCHEDULE**

Dept: Courtroom 11, 19th Floor
Judge: Hon. Martin J. Jenkins

Stip. and [Proposed] Order Extending Time for
McKesson Corp. to Respond to Complaint and
for CM Schedule, Case No. C 07 1988 MJJ

1 WHEREAS, on March 28, 2007, plaintiff Theresa Waldon ("Plaintiff") filed her
2 Complaint for Damages in the Superior Court of the State of California in and for the County of
3 San Francisco; and

4 WHEREAS on April 9, 2007, defendants Novartis Pharmaceuticals Corporation and
5 Novartis Corporation filed a Notice of Removal and related documents in this Court; and

6 WHEREAS, on May 4, 2007, Plaintiff filed a Motion to Remand the case to state court;
7 and

8 WHEREAS, defendant McKesson Corporation ("McKesson") was served with the
9 Complaint; and

10 WHEREAS, by stipulation pursuant to Local Rules ("L.R.") 6-1 and 7-12, McKesson was
11 given 10 court days following this Court's order on Plaintiff's Motion to Remand the case to state
12 court; and

13 WHEREAS, on June 18, 2007, this Court issued an order, denying Plaintiff's Motion to
14 Remand; and

15 WHEREAS, on June 28, 2007, in accordance with this Court's April 9, 2007 order, the
16 parties met and conferred regarding the Rule 26(f) requirements and the possibility of alternative
17 dispute resolution (*See* Declaration of Eric Lasker ("Lasker Decl."), ¶ 2); and

18 WHEREAS, during this conference, the parties discussed the possibility of a joint motion
19 to transfer the litigation to the Northern District of Georgia, where Plaintiff resides (*See* Lasker
20 Decl., ¶ 3); and

21 WHEREAS, on July 2, 2007, the parties further discussed the possibility of a joint motion
22 for transfer (*See* Lasker Decl., ¶4); and

23 WHEREAS, the parties agree that an extension of thirty (30) days on all existing
24 obligations, including the date for McKesson's response to the Complaint and the dates set forth
25 in this Court's April 9, 2007 order, will facilitate the resolution of the venue for this litigation
26 (*See* Lasker Decl., ¶ 4); and

27 WHEREAS, in the event the parties agree to file a joint motion for transfer, and assuming
28 said motion is granted, there will be no further proceedings in this Court and the pending schedule
Stip. and [Proposed] Order Extending Time for
McKesson Corp. to Respond to Complaint and
for CM Schedule, Case No. C 07 1988 MJJ

1 will become moot (*See* Lasker Decl., ¶ 5).

2 THEREFORE, pursuant to L.R. 6-1, 6-2 and 7-12 and subject to the approval of the
3 Court, the parties hereby stipulate and agree that there is good cause for a thirty (30) day
4 extension of time, for McKesson to respond to the Complaint and a corresponding continuance of
5 Case Management dates, as follows:

6 Last day for McKesson to respond to August 1, 2007
7 Complaint:

8 Last day to meet and confer pursuant to Rule August 2, 2007
9 26(f) and submit Joint ADR Certification

10 Last day to complete Initial Disclosures, file August 16, 2007
11 Case Management Statement, and file
12 Discovery Report

13 Case Management Conference August 28, 2007¹
14 2 p.m.

15 SO STIPULATED:

16 Dated: July 2, 2007 FARELLA BRAUN & MARTEL LLP

17 By: /S/
18 Monali S. Sheth

19 Attorneys for Defendants
20 NOVARTIS PHARMACEUTICALS
21 CORPORATION, NOVARTIS
22 CORPORATION, and McKESSON
23 CORPORATION

24 Dated: July 2, 2007 PHILLIPS & ASSOCIATES

25 By: /S/
26 Lowell Finson

27 Attorneys for Plaintiff
28 THERESA WALDON

¹ Technically, thirty days following the originally scheduled date for the case management conference (which is Tuesday, July 24, 2007) is Thursday, August 23, 2007. However, pursuant to paragraph 1 of this Court's standing order, "Case Management/Status Conferences are held on **Tuesday at 2:00p.m.**" (original emphasis). Accordingly, the date listed is August 28, 2007, which is the following Tuesday.

1 Upon stipulation of the parties and good cause shown, IT IS HEREBY ORDERED that
2 the time for defendant McKesson Corporation ("McKesson") to respond to plaintiff Theresa
3 Waldon's Complaint is extended, and the Case Management dates are continued, as follows:

4 Last day for McKesson to respond to August 1, 2007
5 Complaint:


6 Last day to meet and confer pursuant to Rule August 2, 2007
7 26(f) and submit Joint ADR Certification

8 Last day to complete Initial Disclosures, file August 16, 2007
9 Case Management Statement, and file
10 Discovery Report

11 Case Management Conference August 28, 2007
12 2 p.m.

13
14 PURSUANT TO STIPULATION, IT IS SO ORDERED.

15 DATED: 7/9/2007

16 
17 MARTIN J. JENKINS
18 United States District Judge
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1 I, Monali S. Sheth, hereby attest that I have obtained consent for, and will maintain on
2 file, all holograph signatures for any signatures indicated by a “conformed” signature (“/S/”)
3 within this e-filed document.

4 Dated: July 2, 2007

FARELLA BRAUN & MARTEL LLP

6 By: /S/
Monali S. Sheth

8 Attorneys for Defendants
NOVARTIS PHARMACEUTICALS
CORPORATION, NOVARTIS
CORPORATION, and McKESSON
CORPORATION